

UNITED STATES BANKRUPTCY CO
FOR THE DISTRICT OF NEW JERS



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In Re: DONAGHY,

Debtors.

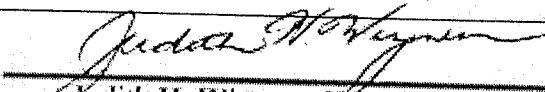
Bankr. No. 10-10802
Chapter 13

Proceedings Before the
Honorable Judith Wizmur, C.J.

ORDER

The relief set forth on the following pages, numbered two (2) through (3) is hereby
ORDERED.

DATED: 08/20/2012


Judith H. Wizmur, Chief Judge
United States Bankruptcy Court

Case Name: In re Donaghy

Case Number: 10-10802 (JHW)

ORDER CONCERNING DEBTORS' MOTION FOR SANCTIONS

Upon consideration of the motion of Michael and Stephanie Donaghy (the "Debtors") for sanctions (the "Motion") and the opposition of GMAC Mortgage, LLC ("GMAC") thereto; and recognizing that the Motion seeks not only sanctions but further objects to GMAC's proof of claim dated April 15, 2010, and further seeks clarification of the Debtor's loan account; and being mindful of the Chapter 11 Bankruptcy filing of Residential Capital, LLC and certain of its affiliates (including GMAC) filed on May 14, 2012 in the United States Bankruptcy Court for the Southern District of New York at docket No. 12-12020 (MG); and after due notice, a hearing and a further colloquy with the parties who agree to the relief contained herein, it is hereby

ORDERED that the Section 362 automatic stay of GMAC's bankruptcy prevents this Court from hearing and deciding the sanctions portion of the Debtors' Motion, and that portion of the Motion is therefore DISMISSED; and it is further

ORDERED that GMAC shall file an amended proof of claim in the form attached hereto as Exhibit "A," with the understanding of all parties that the amended proof of claim reflects the Debtors' loan as of January 1, 2010, and that the arrears items included in the amended proof of claim in the form of interest and escrow advances have since been paid in full during the ordinary course of the Debtors' bankruptcy; and it is further

ORDERED that the payments made by the Debtors to date and received by GMAC, along with those payments due that have been waived by GMAC, have brought the Debtors' loan current through the end of July, 2012, and it is further the understanding of the Court that an additional

payment by the Debtors is in route and, once received by GMAC, will be applied as the payment due on the Loan for August, 2012; and it is further

ORDERED that GMAC shall remove the appropriate codes from the Debtors' account records so that the Debtors may begin receiving again their monthly mortgage statements; and it is further

ORDERED that upon the entry of this Order, all remaining litigation codes appearing on the Debtors' account as a result of the filing of the Motion shall be removed.

Copies to:

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